



Michelle Ouellette

Partner

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At a Glance

A *Daily Journal* headline about Michelle once read, "Enough CEQA Wins to Fill a Bucket."

Her habitat conservation projects have ranged from a 10-acre property that harbors one species to some of the largest plans in the nation.

Michelle is the recipient of the *Daily Journal's* Environmental California Lawyer Attorney of the Year Award in 2017.

Profile

Michelle Ouellette brings an in-depth understanding of environmental laws and knowledge of state and federal regulations that help her clients' projects succeed in California. With more than 25 years of experience, she knows how to effectively and efficiently help cities, counties, special districts, developers and other clients in the private sector to navigate the requirements of the California Environmental Quality Act, the National Environmental Policy Act, and state and federal endangered species laws. A trusted counselor and a successful litigator, Michelle works with her clients to reach their goals of building a project, developing a habitat conservation plan or defending environmental documents in court with a responsive and tenacious approach.

Areas of Focus

Practices

Air Quality

California Environmental Quality Act (CEQA)

Endangered Species

Environmental Law & Natural Resources

Environmental Litigation

Hazardous Waste

Municipal Law

National Environmental Policy Act (NEPA)

Water

Industries

Municipal

Special Districts

Customized CEQA Counsel

With hundreds of CEQA-related projects across California under her belt, Michelle's experience reflects both depth and breadth: From a 3,000-unit residential development to major highway improvements to renewable energy projects. She provides customized CEQA counsel, depending on a client's specific needs for projects that require compliance with the law. Her insight into the nuances of both CEQA and NEPA allows her to take a strategic approach when drafting or reviewing initial studies, negative declarations or environmental impact reports/statements so they not only comply with the law but also avoid problems that can lead to lawsuits. Michelle understands the steps required to take a project through the complicated regulatory process and works frequently with the agencies and regulators who issue the needed permits. In addition, she offers project management and advocates on her clients' behalf before governmental bodies. Her years of experience coupled with her expertise give clients added confidence that their projects will gain approval and withstand potential legal attacks while minimizing delays and expenses.

Trusted Advisor for Habitat Conservation Plans

Michelle has successfully guided clients through the regulatory hurdles of state and federal endangered species laws, including Section 7 consultation and the creation of habitat conservation plans that protect endangered species while allowing key development to move forward. Her habitat conservation projects have ranged from a 10-acre property that harbors one species to some of the largest plans in the nation. The Western Riverside County Multiple Species Habitat Conservation Plan, for example, covers more than 1 million acres and protects nearly 150 species. Her commitment to these projects runs deep as they create open space for species and residents, while clearing the way for important projects and infrastructure to be built. With a proven ability to work with stakeholders and regulating agencies, Michelle is a trusted advisor who helps her clients understand each stage of the process and how the many pieces of such complex plans fit together.

Recognized Legal Practitioner and Scholar

A *Daily Journal* headline about Michelle once read, "Enough CEQA Wins to Fill a Bucket," reflecting a string of courtroom victories for her clients. In 2017, the *Daily Journal* recognized her with the prestigious [California Lawyer Attorney of the Year Award](#) for Environmental Law and named her a Top Woman Lawyer in 2017 and 2018. Her reputation as a successful attorney is so strong that her peers routinely select her for top attorney lists such as Super Lawyers® and Best Lawyers in America®. Locally, she was president of the Riverside County Bar Association. Internationally, she is senior vice chair of the International Bar Association's Committee on Environment, Health & Safety Law. She first joined BB&K in 1989 as a member of the Environmental Law & Natural Resources practice group, and later was appointed as leader of that

practice group. She quickly rose in the ranks to serve six years on BB&K's Executive Committee, which makes key management decisions for the firm. Michelle has shared her wealth of legal knowledge by teaching classes in environmental law at the University of Southern California and at the University of California campuses in Irvine and Riverside. Additionally, she has authored several articles and frequently lectures on CEQA and endangered species laws.

Michelle lives in Riverside where she continues to improve her California native, drought-tolerant garden. She loves to cook, travel, practice yoga and dabble in creative writing. She is admitted to practice law in the State of California.

Education

- University of Southern California Gould School of Law, J.D.
- University of California, Santa Cruz, B.A., honors

Awards

- The Best Lawyers in America®, Energy, Environmental and Natural Resources Law, 2006-2019
- California Lawyer Attorney of the Year, Environmental, 2017
- Southern California Super Lawyers, Environmental Law, 2008-2019
- *Daily Journal* Top Women Lawyers in California, 2015 and 2017-2018
- ATHENA of Riverside, 2016
- *Diversity Journal* Women Worth Watching, 2015
- Super Lawyers Business Edition, Construction, Real Estate and Environmental, 2015
- *Daily Journal* Top 50 Development Attorney in California, 2014
- The Best Lawyers in America®, Environmental Litigator "Lawyer of the Year" for the Riverside area, 2014
- Top Rated Lawyer in Energy, Environmental & Natural Resources, American Lawyer Media and Martindale-Hubbell™, 2013
- Los Angeles' Women Leaders in the Law, American Lawyer Media and Martindale-Hubbell™, 2013
- *Daily Journal* Top 100 Women Litigators in California, 2009

Authorships

LEGAL ALERTS | JAN 15, 2019

Comprehensive Update to the State CEQA Guidelines

Approved by California Natural Resources Agency

AUTHORED ARTICLES & PUBLICATIONS | DEC 13, 2018

Hastings Environmental Law Journal: CEQA's Judicial Remedies and Reform Recommendations

BB&K's Michelle Ouellette and Ali Tehrani Authored Law Review Article

LEGAL ALERTS | AUG 27, 2018

Court Upholds Approval of Superstore Zoning Ordinance

California Appellate Court Supports the Broad Use of CEQA Addenda

LEGAL ALERTS | DEC 01, 2017

Proposed “Comprehensive Update” to the State CEQA Guidelines Released

California Governor’s Office of Planning and Research Proposal Also Addresses SB 743

LEGAL ALERTS | SEP 11, 2017

Legislature May Expedite CEQA Review for Transportation Projects Connected to 2028 Olympic Games

Bill Introduced in Advance of Los Angeles Being Awarded the Games This Week

LEGAL ALERTS | AUG 03, 2017

CEQA Not Preempted in State-Owned Rail Project

California Supreme Court Decision Could Impact High-Speed Rail Project

LEGAL ALERTS | NOV 10, 2016

Evaluating a Project’s “Exacerbation” on Existing Environmental Hazards

Substantial Evidence Proving “Exacerbation” Required, California Appellate Court Says

LEGAL ALERTS | SEP 26, 2016

New Legislation Seeks to Expedite CEQA Administrative Record Process

Provides Opportunity to Streamline Litigation

LEGAL ALERTS | SEP 21, 2016

CEQA Allows Developers to Recover Administrative Record Costs when Reimbursing Agency

Appellate Victory for Developers and Public Agencies

LEGAL ALERTS | SEP 20, 2016

California Supreme Court Clarifies CEQA's Subsequent Review Rules and Standard of Review

Decision Issued After Years of Uncertainty

LEGAL ALERTS | AUG 30, 2016

Environmental Groups to Sue Fish & Wildlife Service Over Listing of 417 Species

Development Projects in California May be Impacted

LEGAL ALERTS | AUG 29, 2016

Legislature Passes Pair of Significant New Climate Change Bills

Gov. Brown Expected to Sign Laws that Will Have CEQA Implications

AUTHORED ARTICLES & PUBLICATIONS | AUG 24, 2016

Sweeping Six-Case Win For Water District Helps Secure Orange County's Water Supply

BB&K Partner Michelle Ouellette Authors a Summary of Recent Appellate Victory for Orange County Lawyer Magazine

LEGAL ALERTS | MAY 11, 2016

Sweeping Six-Case Win for Water District

Court Upholds Public-Private Groundwater Conservation and Recovery Project That Will Serve Customers Throughout Southern California

LEGAL ALERTS | DEC 21, 2015

California Supreme Court Addresses the "Reverse CEQA" Problem

CEQA Does Not Require Agencies to Consider the Impact of Existing Conditions on Future Project Users — Except in Certain Circumstances

LEGAL ALERTS | DEC 02, 2015

California Supreme Court Decision Regarding Newhall Ranch Development Could Significantly Impact Developments

California Supreme Court Overturns Environmental Impact Report Related to Proposed Residential Development

LEGAL ALERTS | AUG 13, 2015

Preliminary Discussion Draft of CEQA Guidelines Amendments Released

Comments Due to Office of Planning and Research by Oct. 12

LEGAL ALERTS | AUG 07, 2015

Uncertainty of Legislative Earmarks Not Enough to Deem Mitigation Infeasible

California Supreme Court Takes on CEQA Issue in State College Expansion Project

LEGAL ALERTS | MAR 03, 2015

California Supreme Court Makes Critical CEQA Ruling Regarding Categorical Exemptions

Court Clarifies the Unusual Circumstances Exception

AUTHORED ARTICLES & PUBLICATIONS | JAN 07, 2015

The Western Riverside County Multiple Species Habitat Conservation Plan: Looking Forward After 10 Years

BB&K Partner Michelle Ouellette Co-Authors This Look at the Future of Multiple Species Habitat Conservation Plans in the ABA's Natural Resources & Environment Journal

- [“California’s Bullet Train Can’t Sidestep CEQA, Court Says,”](#) *PublicCEO* (via *BBKnowledge*), Oct. 26, 2017
- [“Phase I of Final Desert Renewable Energy Conservation Plan Now Publicly Available,”](#) *BBKnowledge*, Nov. 30, 2015